

economy values for each class of automobiles for California and for the other states.

(f) For high altitude vehicles determined under §600.310, both general and specific labels will contain the range of comparable fuel economy computed in this section.

(g) The manufacturer shall include the appropriate range of fuel economy determined by the Administrator in paragraph (c) or (d) of this section, on each label affixed to an automobile within the class, except as provided in §600.306(b)(1).

[49 FR 13852, Apr. 6, 1984, as amended at 49 FR 28150, Dec. 10, 1984]

**§600.312-86 Labeling, reporting, and recordkeeping; Administrator reviews.**

(a)(1) The manufacturer shall determine label values (general and specific) using the procedures specified in subparts C and D of this part and submit the label values, and the data sufficient to calculate the label values, to the Administrator according to the timetable specified in §600.313.

(2) Except under paragraph (a)(4) of this section, the manufacturer is not required to obtain Administrator approval of label values prior to the introduction of vehicles for sale.

(3) The label values that the manufacturer calculates and submits under paragraph (a)(1) of this section shall constitute the EPA fuel economy estimates unless the Administrator determines that they are not calculated according to the procedures specified in subparts C and D of this part.

(4) If required by the Administrator, the manufacturer shall obtain Administrator approval of label values prior to affixing labels to vehicles.

(5)(i) If at any time during the model year, any label values are determined not to be calculated according to the procedures specified in subparts C and D of this part, the Administrator shall notify the manufacturer in writing.

(ii) If the Administrator has sufficient information to enable calculation of the correct label values, this notification shall specify the correct label values which constitute the EPA Fuel Economy Estimates.

(iii) If additional information is required, the Administrator shall request such additional information and a recalculation of the label value by the manufacturer.

(6) If the Administrator determines revised label values under paragraph (a)(5) of this section are lower than the label values calculated by the manufacturer, the manufacturer shall affix the revised labels to all affected new vehicles which are unsold beginning no later than 15 calendar days after the date of notification by the Administrator.

(b)(1) The manufacturer is responsible for affixing vehicle labels that meet the format and content requirements of this subpart.

(2) The manufacturer shall retain for examination, at the Administrator's discretion, typical label formats representing all information required on the manufacturer's fuel economy labels. The information shall include the text of all required and voluntary information as well as the size and color of print and paper, spacing, and location of all printed information. Where the fuel economy label is incorporated with the Automobile Information Disclosure Act label, the above requirements pertain to those sections of the label concerning fuel economy labeling information.

(3) If the Administrator determines upon examination of record that the label format or content do not meet the requirements of this subpart, the Administrator may:

(i) Require the manufacturer to make specific changes in subsequent labels, and

(ii) Require such changes to be implemented on a reasonable timetable, but no sooner than 15 days from the date of notification to the manufacturer.

[49 FR 13852, Apr. 6, 1984]

**§600.313-86 Timetable for data and information submittal and review.**

(a) A manufacturer shall submit to the Administrator fuel economy label values and sufficient information to determine fuel economy label values within the following time constraints (except for manufacturers designated under §600.312(a)(4) who shall submit the information no later than thirty

calendar days prior to the date the model type [vehicle] is initially offered for sale.

(1) For initial general label values, no later than five working days before the date that the model type is initially offered for sale;

(2) For specific label values, no later than five working days before any vehicles are offered for sale.

(3) For model types having label values updated because of running changes (as required under § 600.314(b)), the submission must be made at least five working days before the date of implementation of the running change.

(b) A manufacturer may not proceed with any label calculation until the data from each vehicle used in such calculation satisfies the requirements of § 600.008.

(c) If the Administrator has waived any testing in paragraph (b) of this section and subsequently finds that the decision to waive testing was based on an incorrect data submission or that a fuel economy offset exists (based on subsequent testing of that manufacturer's product line), the Administrator may require confirmation of the data generated by any such waived vehicle.

[49 FR 13853, Apr. 6, 1984]

**§ 600.314-86 Updating label values, annual fuel cost, Gas Guzzler Tax, and range of fuel economies for comparable automobiles.**

(a) The label values established in § 600.312 shall remain in effect for the model year unless updated in accordance with paragraph (b) of this section.

(b)(1) The manufacturer shall recalculate the model type fuel economy values for any model type containing base levels affected by running changes specified in § 600.507(a).

(2) For separate model types created in § 600.207(a)(2), the manufacturer shall recalculate the model type values for any additions or deletions of sub-configurations to the model type. Minimum data requirements specified in § 600.010(c)(1)(ii) shall be met prior to recalculation.

(3) Label value recalculations shall be performed as follows:

(i) The manufacturer shall use updated total model year projected sales for label value recalculations.

(ii) All model year data approved by the Administrator at the time of the recalculation for that model type shall be included in the recalculation.

(iii) Using the additional data under paragraph (b) of this section, the manufacturer shall calculate new model type city and highway values in accordance with §§ 600.207 and 600.209 except that the values shall be rounded to the nearest 0.1 mpg.

(iv) The existing label values, calculated in accordance with §§ 600.207 and 600.209, shall be rounded to the nearest 0.1 mpg.

(4)(i) If the recalculated city or highway fuel economy value in paragraph (b)(3)(iii) of this section is less than the respective city or highway value in paragraph (b)(3)(iv) of this section by 1.0 mpg or more, the manufacturer shall affix labels with the recalculated model type values (rounded to whole mpg's) to all new vehicles of that model type beginning on the day of implementation of the running change.

(ii) If the recalculated city or highway fuel economy value in paragraph (b)(3)(iii) of this section is higher than the respective city or highway value in paragraph (b)(3)(iv) of this section by 1.0 mpg or more, then the manufacturer has the option to use the recalculated values for labeling the entire model type beginning on the day of implementation of the running change.

(c) For fuel economy labels updated using recalculated fuel economy values determined in accordance with paragraph (b) of this section, the manufacturer shall concurrently update all other label information (e.g., the annual fuel cost, range of comparable vehicles and the applicability of the Gas Guzzler Tax if required by Department of Treasury regulations).

(d) The Administrator shall periodically update the range of fuel economies of comparable automobiles based upon all label data supplied to the Administrator.

[49 FR 13853, Apr. 6, 1984]

**§ 600.315-82 Classes of comparable automobiles.**

(a) The Secretary will classify automobiles as passenger automobiles or